

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

Sarang Gupta,

Plaintiff

vs.

Case No. 1:12-cv-01255-ACT-WDS

Capital One Financial Corporation  
d/b/a ING Direct, Inc. and John Doe  
Corporation

Defendant.

**STIPULATION FOR DISMISSAL WITH PREJUDICE**

Plaintiff, Sarang Gupta, by and through its counsel of record, Law Office of Anita M. Kelley, and Defendant, Capital One Financial Corporation d/b/a ING Direct, Inc., by and through its attorneys of record, Jeremy K. Harrison and Stan N. Harris, hereby jointly stipulate and agree pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), that this matter be dismissed with prejudice, and that any and all claims that have been or could have been brought in this action against Defendant and its past and present directors, officers, employees and/or agents by, through or on behalf of Plaintiff be dismissed with prejudice, with the parties to bear their own costs and attorneys' fees.

Dated: January 22, 2013.

Respectfully submitted,

**LAW OFFICES OF ANITA KELLEY**

By: s/Anita M. Kelley  
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*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

I certify that on January 22, 2013, I electronically filed the foregoing document with the clerk of the U.S. District Court of New Mexico, using the electronic case filing system of the court.

By: s/ Lydia Bultemeyer

Lydia Bultemeyer